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STATE OF MONTANA
DEPARTMENT OF SECRETARY OF STATE
FILED FOR RECORD

November 12, 1971

STATE OF MONTANA

AT 3:05 P.M. 1971

Office of the Governor

RECORDED IN VOLUME

PAGE

EXECUTIVE REORGANIZATION ORDER 7-71

Frank Murray
SECRETARY OF STATE

Executive Reorganization Order Implementing the Department of
Business Regulation Pursuant to the Executive Reorganization Act
of 1971

Under the Executive Reorganization Act of 1971 (Laws of Montana, 1971, Chapter 272), the Governor is authorized to sign executive orders implementing the various chapters of the Act.

THEREFORE, I, FORREST H. ANDERSON, Governor of the State of Montana, pursuant to the authority invested in me, order that:

1. Chapter 4 (Sections 82A-401 through 82A-406) of the Executive Reorganization Act of 1971, providing for the creation of the Department of Business Regulation, and Section 2 of the Executive Reorganization Act of 1971, providing for the repeal of Section 27-427, R.C.M. 1947, shall be effective November 15, 1971.
2. From and after November 15, 1971, the Department and its functions shall be organized, supervised, administered, and executed pursuant to the Executive Reorganization Act of 1971, the Constitution, other statutes of the state, and the reorganization plan (dated October 26, 1971) prepared and submitted by the Task Force on Business Regulation.
3. This executive order shall not affect the validity of any judicial or administrative proceeding pending or which could have been commenced before the date of the order, and the department or unit which succeeds to the functions of an agency transferred or retained by this order shall be substituted as a party in interest.
4. The Department's organization charts and descriptions of major programs are appended to this order. However, the Secretary of State need not send the charts and descriptions of major programs to those persons named in Section 6 of the Executive Reorganization Act as a part of this order.

Given under my hand and the GREAT SEAL of the State of Montana this Eleventh day of November, in the year of our LORD, One Thousand Nine Hundred and Seventy-one.

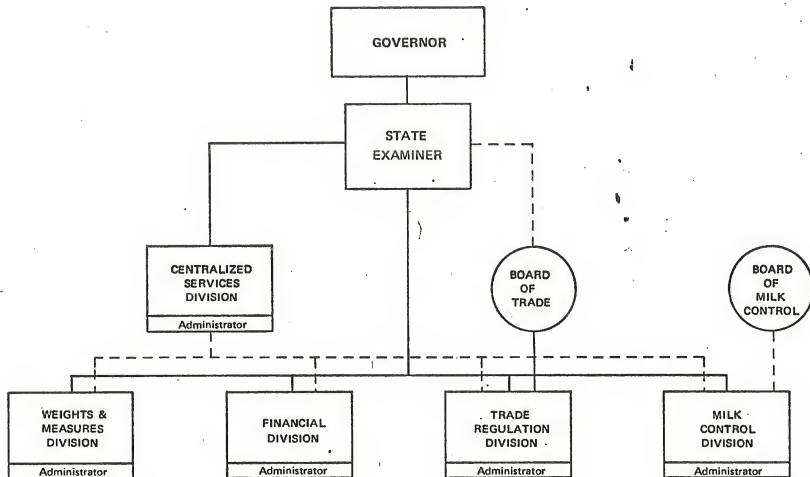
(Great Seal)

Forrest H. Anderson, Governor

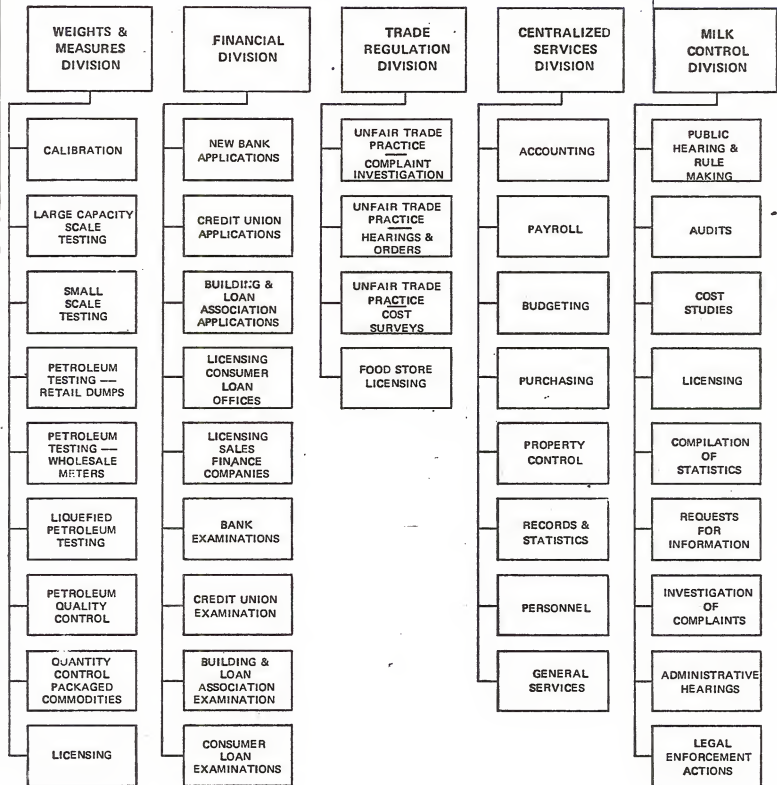
ATTEST:

Frank Murray
SECRETARY OF STATE





ORGANIZATION CHART
DEPARTMENT OF BUSINESS REGULATION



FUNCTIONAL CHART

**DEPARTMENT
OF
BUSINESS
REGULATION**

MAJOR PROGRAMS

Weights and Measures Program

Description:

The Weights and Measures program will carry out the responsibility of testing and inspecting all weighing and measuring devices as well as the calibration of all weights and measures. The program will be charged with the investigation of complaints made concerning violations of weights and measures laws and regulations. It will also be charged with: quality control, labeling, and advertising of pre-packaged products; and licensing all petroleum dealers and collecting license fees and scale test fees.

Authority:

Title 90, Chapter 1, R.C.M. 1947
Title 60, Chapter 2, R.C.M. 1947
Section 82A-301(1)(b), R.C.M. 1947
Section 82A-403(3)(4), R.C.M. 1947

Division Responsible:

Weights and Measures Division



Financial Program

Description:

The Financial program will carry out the duties of regulating various financial institutions in the state. The duties will be: (1) to examine all state banks, building and loan associations, investment and loan companies, credit unions, consumer loan business licensees and sales finance companies; (2) to license all state sales finance companies, consumer loan businesses, and building and loan association agents, and; (3) to review and approve the articles of incorporation and by-laws of all state banks and savings and loan associations before they may be officially incorporated by the Secretary of State.

Authority:

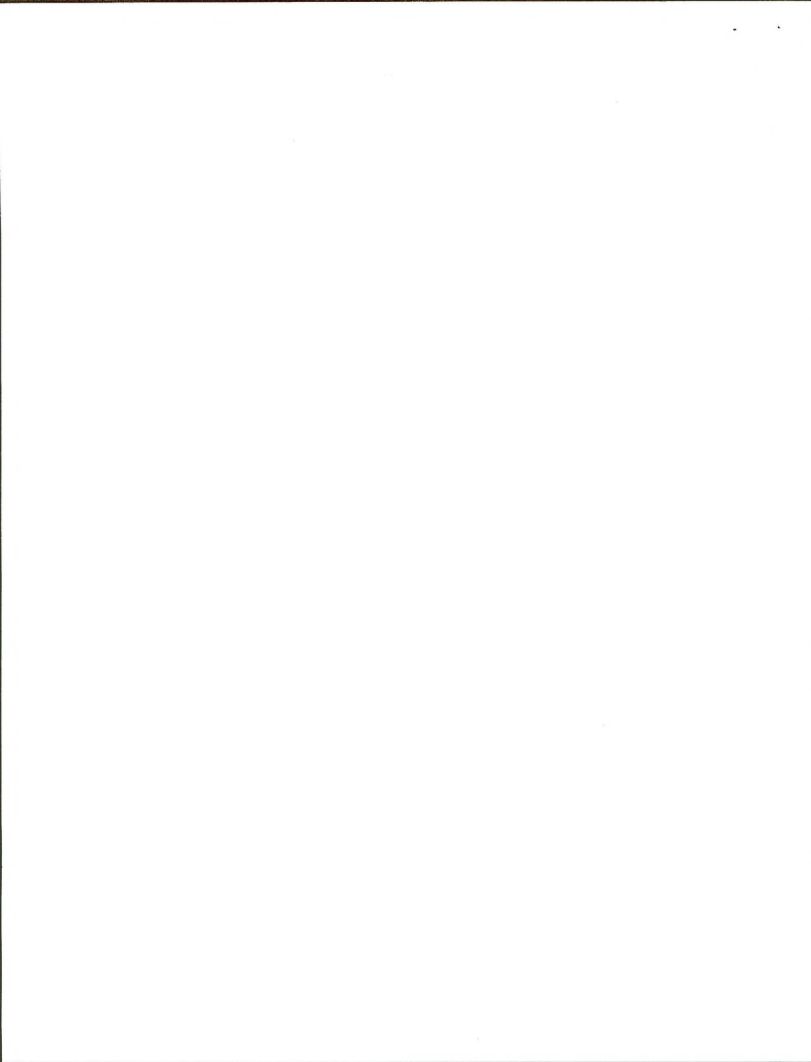
Section 82-1002, R.C.M. 1947
Sections 7-106 and 7-199, R.C.M. 1947
Sections 74-603 and 74-605, R.C.M. 1947
Sections 47-207 and 47-216, R.C.M. 1947
Section 5-203, R.C.M. 1947
Section 14-132, R.C.M. 1947
Sections 82A-402 and 82A-403, R.C.M. 1947

Division Responsible:

Financial Division

NOTE: The Financial program will also include these functions currently carried out by the State Examiner: to examine school districts, counties, cities, and other political sub-divisions, and prescribe and supervise accounting systems and practices for municipal districts. However, upon implementation of the Department of Intergovernmental Relations, these duties will be performed by that Department.

The constitutional duty assigned to the State Examiner--to examine the offices of the State Treasurer and the Clerk of the Supreme Court--was delegated by the Examiner to the Legislative Auditor upon the activation of that office. This duty will continue to be carried out by the Legislative Auditor at the direction of the State Examiner.



Trade Regulation Program

Description:

The Trade Regulation program will carry out two functions. The primary function will be enforcement of the Unfair Practices Act, which prohibits sales of commodities below cost to injure competitors and destroy competition. Enforcement of this Act will involve two duties: (1) acting on complaints of violations (this involves investigations, hearings, and issuance of orders); and (2) conducting cost surveys on request. The second function of the program will be the annual licensing of all food stores in the state.

Authority:

Title 27, Chapter 3, R.C.M. 1947

Title 70, Chapter 2, R.C.M. 1947

Title 51, Chapter 1, R.C.M. 1947

Sections 82A-404 and 405, R.C.M. 1947

Division Responsible:

Trade Regulation Division

Milk Control Program

Description:

The Milk Control program will carry out the state's responsibilities in setting and enforcing minimum producer, wholesale, and retail prices on fluid milk and cream products. Prices are fixed by official order after public hearings. Enforcement of producers' prices is by audit of distributor records. Enforcement of wholesale and retail prices and fair trade practice is through spot checks and the investigation of complaints from the public and the industry, and the taking of formal action when necessary. The program also involves licensing and assessment of the industry in order to finance the work of the program.

Authority:

Sections 27-401 through 27-429, R.C.M. 1947
Sections 82A-403 and 406, R.C.M. 1947

Division Responsible:

Milk Control Division

Centralized Services Program

Description:

The Centralized Services program will carry out those functions necessary to support the other four major programs of the Department of Business Regulation. The functions will include accounting, payroll, budgeting, purchasing, property control, records and statistics, personnel and general services.

Authority:

→ Title 82A, Chapter 4, R.C.M. 1947

Division Responsible:

Centralized Services Division

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